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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

JOSEPH C. SMITH

CIVIL ACTION NO. 05-1748

VS.

JUDGE MELANÇON

JO ANNE BARNHART, Commissioner  
Social Security Administration

MAGISTRATE JUDGE METHVIN

JUDGMENT

This matter was referred to United States Magistrate Judge Mildred E. Methvin for her Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that this case is **REVERSED** and Smith is awarded benefits consistent with an onset date August 2, 2002.<sup>1</sup>

Lafayette, Louisiana this 13<sup>th</sup> day of February, 2007.

  
TUCKER L. MELANÇON  
UNITED STATES DISTRICT COURT

<sup>1</sup> This constitutes a "final judgment" that triggers the filing period for an EAJA fee application. Shalala v. Schaeffer, 509 U.S. 292, 113 S.Ct. 2625, 2631 (1993); Freeman v. Shalala, 2 F.3d 552 (5<sup>th</sup> Cir. 1993).